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Counsel for Petitioner DENNIS RAY BARNETT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DENNIS RAY BARNETT,	)	No. C 08-01604 RMW
	)	
Petitioner,	)	STIPULATION AND []
v.	)	ORDER EXTENDING BRIEFING
	)	SCHEDULE ON RESPONDENT'S
	)	MOTION TO DISMISS
MIKE KNOWLES, Warden, et al.	)	
	)	
Respondents.	)	
_____	)	

**STIPULATION**

The parties hereby stipulate and agree that the currently set briefing schedule on respondents' motion to dismiss may be extended to allow petitioner additional time to file his opposition to respondents' motion. The current due date for petitioner's opposition brief is April 6, 2009. As of the date of this stipulation, the parties have not yet received a copy of petitioner's inmate file from the Department of Corrections and Rehabilitation due to the voluminous amount of material contained in the file. The parties anticipate that a copy of the inmate file will be provided within the next two weeks for their review. The purpose of this extension request is to allow petitioner's counsel further time to obtain the inmate file, review the voluminous records, and conduct any further investigation in order to prepare the opposition brief. The parties agree

1 on the following briefing schedule: petitioner shall file his opposition to respondents' motion to  
2 dismiss on or before July 6, 2009. Respondents may file an optional reply brief on or before  
3 August 21, 2009.

4  
5 Dated: April 1, 2009

6 /s/  
7 GREGORY A. OTT  
8 Deputy Attorney General

9 Dated: April 1, 2009

10 /s/  
11 CYNTHIA C. LIE  
12 Assistant Federal Public Defender

13  
14 **[] ORDER**

15 Good cause appearing and by stipulation of the parties, it is hereby ordered that the  
16 currently set briefing schedule on the respondent's motion to dismiss be extended to allow  
17 petitioner to file his opposition on or before July 6, 2009, with respondent's reply brief, if any, to  
18 be filed on or before August 21, 2009.

19 Dated: April 6, 2009

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21 RONALD M. WHYTE  
22 United States District Judge  
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